



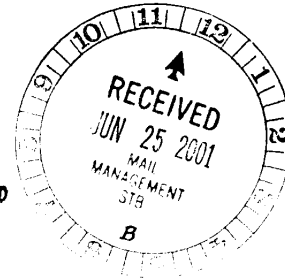
## LEXIS Document Services

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June 22, 2001

Taledia Stokes  
Surface Transportation Board  
Recordation Office  
1925 K Street, N.W., Suite 70  
Washington D.C. 20423

MEMORANDUM NO. 23410-B FILED  
JUN 26 '01 4:09 PM  
SURFACE TRANSPORTATION BOARD



Dear Taledia,

Enclosed are two (2) originals of the **Memorandum of Railcar Lease** dated as of May 22, 2001 between the following parties:

Names and address of the following parties:

Lessor: **THE CIT GROUP/EQUIPMENT FINANCING INC.**  
1211 Avenue of the Americas, New York, NY 10036

Lessee: **DTE COAL SERVICES, INC.**  
425 South Main Street, Suite 106, Ann Arbor, MI. 48104

**A short summary of the document to appear in the index follows:**

Memorandum of Railcar Lease between Lessor: **THE CIT GROUP/EQUIPMENT FINANCING INC.** and Lessee: **DTE COAL SERVICES, INC.** covering 120 coal gondolas with reporting marks and numbers – CEFX 40117 – CEFX 40593, NOT INCLUSIVE.

Please file this memorandum as a **SECONDARY** document to Recordation #23410 dated 3/19/01 and return one (1) stamped original to my attention. A check covering the filing fee of twenty-eight dollars (\$28.00) is enclosed.

If you have any questions regarding the filing, please feel free to call me at 800-634-9738 ext. 20100.

Thank you for your prompt assistance.

Sincerely,

  
Sherry Lewey  
New Business Development/Research Coordinator

Enclosure

MEMORANDUM OF RAILCAR LEASE

THIS MEMORANDUM OF RAILCAR LEASE dated as of this 22<sup>nd</sup> day of May, 2001, is made by THE CIT GROUP/EQUIPMENT FINANCING, INC., a Delaware corporation, with an address at 1211 Avenue of the Americas, New York, New York 10036 (the "Lessor"), and DTE COAL SERVICES, INC., a Michigan corporation, with an address at 425 South Main Street, Suite 106, Ann Arbor, MI 48104 (the "Lessee" and, together with the Lessor, the "Parties").

KNOW ALL PERSONS BY THESE PRESENTS THAT:

WHEREAS, the Lessor and the Lessee entered into that certain Master Railcar Lease (the "Lease") dated as of January 23, 2001, covering certain equipment described therein and with respect to which a Memorandum of Railcar Lease was filed with the Surface Transportation Board ("STB") on March 19, 2001 and given Recordation Number 23410.

WHEREAS, the Parties have entered into an additional Schedule under the Lease and wish to show for the public record the existence of the aforesaid Schedule, the respective interests therein of the Parties and a description of the equipment (the "Equipment") as set forth in **Schedule A** hereto, and accordingly the Parties have caused this Memorandum to be executed by their respective duly authorized officers, as of the date first above written.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the Parties hereto, by this instrument the Lessor hereby leases and confirms the lease of the Equipment to the Lessee in accordance with the terms and conditions of the Lease, and the Lessee confirms and accepts such terms and conditions, which are incorporated by reference as if fully set forth herein.

I certify that I hold the title set forth below, that this instrument was signed on behalf of the Lessor by authority of its Board of Directors and that I acknowledge that the execution of the foregoing instrument was the free act and deed of the Lessor. I further declare under penalty of perjury that the foregoing is true and correct.

THE CIT GROUP/EQUIPMENT FINANCING, INC.

By: Joseph L. Mankowski  
Name: JOSEPH L. MANKOWSKI  
Title: VICE PRESIDENT/RAIL RESOURCES

I certify that I hold the title set forth below, that this instrument was signed on behalf of the Lessee by authority of its Board of Directors and that I acknowledge that the execution of the foregoing instrument was the free act and deed of the Lessee. I further declare under penalty of perjury that the foregoing is true and correct.

DTE COAL SERVICES, INC.

By: Paul Spurgeon  
Name: PAUL SPURGEON  
Title: VICE PRESIDENT

RECORDATION NO. 23410-13 FILED

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SURFACE TRANSPORTATION BOARD

Schedule A

Quantity  
120

Description  
aluminum coal gondolas

Car Marks and Numbers  
Listed below

1	CEFX	40117
2	CEFX	40118
3	CEFX	40119
4	CEFX	40120
5	CEFX	40121
6	CEFX	40123
7	CEFX	40124
8	CEFX	40128
9	CEFX	40129
10	CEFX	40130
11	CEFX	40131
12	CEFX	40133
13	CEFX	40134
14	CEFX	40136
15	CEFX	40137
16	CEFX	40139
17	CEFX	40140
18	CEFX	40145
19	CEFX	40151
20	CEFX	40152
21	CEFX	40154
22	CEFX	40158
23	CEFX	40159
24	CEFX	40160
25	CEFX	40161
26	CEFX	40166
27	CEFX	40168
28	CEFX	40169
29	CEFX	40170
30	CEFX	40172
31	CEFX	40173
32	CEFX	40174
33	CEFX	40175
34	CEFX	40176
35	CEFX	40177
36	CEFX	40179
37	CEFX	40180
38	CEFX	40184
39	CEFX	40185
40	CEFX	40189

41	CEFX	40195
42	CEFX	40197
43	CEFX	40198
44	CEFX	40200
45	CEFX	40202
46	CEFX	40203
47	CEFX	40207
48	CEFX	40210
49	CEFX	40211
50	CEFX	40212
51	CEFX	40213
52	CEFX	40214
53	CEFX	40215
54	CEFX	40216
55	CEFX	40217
56	CEFX	40218
57	CEFX	40221
58	CEFX	40222
59	CEFX	40226
60	CEFX	40227
61	CEFX	40230
62	CEFX	40231
63	CEFX	40232
64	CEFX	40233
65	CEFX	40240
66	CEFX	40251
67	CEFX	40252
68	CEFX	40258
69	CEFX	40267
70	CEFX	40275
71	CEFX	40288
72	CEFX	40289
73	CEFX	40291
74	CEFX	40294
75	CEFX	40296
76	CEFX	40297
77	CEFX	40310
78	CEFX	40312
79	CEFX	40315
80	CEFX	40316

81	CEFX	40319
82	CEFX	40340
83	CEFX	40343
84	CEFX	40345
85	CEFX	40346
86	CEFX	40350
87	CEFX	40383
88	CEFX	40384
89	CEFX	40394
90	CEFX	40401
91	CEFX	40403
92	CEFX	40408
93	CEFX	40420
94	CEFX	40424
95	CEFX	40435
96	CEFX	40436
97	CEFX	40455
98	CEFX	40457
99	CEFX	40476
100	CEFX	40479
101	CEFX	40486
102	CEFX	40487
103	CEFX	40492
104	CEFX	40499
105	CEFX	40503
106	CEFX	40504
107	CEFX	40512
108	CEFX	40516
109	CEFX	40517
110	CEFX	40536
111	CEFX	40537
112	CEFX	40554
113	CEFX	40556
114	CEFX	40561
115	CEFX	40562
116	CEFX	40566
117	CEFX	40571
118	CEFX	40578
119	CEFX	40583
120	CEFX	40593